



CITY OF MILPITAS NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Milpitas City Council will hold a public hearing in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar, on Tuesday, May 7, 2024, starting at or soon after 7:00 p.m. on the following:

HEAD/SMOKE/TOBACCO SHOP – 1225 JACKLIN ROAD – P-UP23-0013: Adopt a resolution upholding the appeal and overturning the Planning Commission's decision to deny Conditional Use Permit No. UP23-0013 to allow for the retail sales of tobacco products within an existing 870-square-foot tenant space of a 9,960-square-foot multi-tenant commercial building located on a 0.9-acre site at 1225 Jacklin Road within the C1 Neighborhood Commercial Zoning District.

Staff Contacts: Jay Lee, Planning Director, jlee@milpitas.gov, and Randy Baez, Associate Planner, rbaez@milpitas.gov

Recommendation: Conduct a public hearing and move to close the hearing following comments, consider the project to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), and adopt a resolution to approve Conditional Use Permit No. UP23-0013, subject to the findings and Conditions of Approval.

At its March 13, 2024 meeting the Planning Commission voted (5-0), with one Commissioner absent and one abstaining vote (Gupta), to deny the project.

Suzanne Guzzetta
City Clerk
April 26, 2024